



Application No.: 09/206786

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: see enclosed note

Applicant Must Provide:

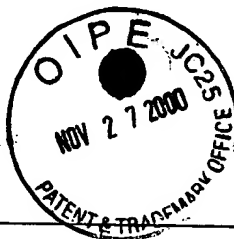
- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

The submitted CRF and Sequence in paper copy lack mandatory section (1) (vii) (see preJuly 1998 sequence rules, section 37 CFR 1.823(b), because the listing has been submitted in the "old" format) wherein reference should be made to parent applications 08/672610, 60/000710 and 60/004034.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

Ron Schwadron, Ph.D.
Art Unit 1644

RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800 1600



11-28-00

584 Gp/1644/1#

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 11600/2900

Application of: Korngold and Huang

Application No.: 09/206,786

Group Art Unit: 1644

Filed: December 7, 1998

Examiner: Schwadron, R.

For: CD-4 DERIVED PEPTIDES THAT
INHIBIT IMMUNE RESPONSES

Attorney Docket No.: 8666-007-999

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents
Box Sequence Listing
Washington, DC 20231

Sir:

In response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide And/Or Amino Acid Sequence Disclosures ("Notice to Comply") mailed by the U.S. Patent and Trademark Office on September 29, 2000 in connection with the above-identified application, Applicants submit herewith a second substitute Sequence Listing in paper and computer readable form pursuant to 37 C.F.R. § 1.821 and a copy of the Notice to Comply. Applicants also submit concurrently herewith a Third Preliminary Amendment; and a Petition for an Extension of Time for Response for one month, from October 29, 2000 to November 29, 2000.

I hereby state that the content of the paper and computer readable copies of the substitute Sequence Listing, submitted herewith in accordance with 37 C.F.R. §1.821, are the same. I hereby state that the submission herein under 37 C.F.R. §1.821(g) does not include new matter.

No fee is believed due; however, should the Patent and Trademark Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of the sheet is attached for accounting purposes.

Respectfully submitted,

Date: November 27, 2000

Thomas E. Friebe 29,258
Thomas E. Friebe (Reg. No.)

By: William Thomann 40,203
William Thomann (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures